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Attorneys for Creditor THE BANK OF NEW
YORK MELLON FKA THE BANK OF NEW
YORK SUCCESSOR TRUSTEE TO
JPMORGAN CHASE BANK, N.A., AS
TRUSTEE FOR THE BEAR STEARNS
ALT-A TRUST, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-
04

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re

JEFFREY S BEIER,

Debtor(s).

Case No. 8:23-bk-10898-TA

Chapter 11

**SUPPLEMENTAL EXHIBITS IN
SUPPORT OF OPPOSITION TO
DEBTOR’S MOTION FOR ORDER
IMPOSING STAY [DKT NO. 22]**

SUBJECT PROPERTY:

10 Tucson, Coto De Caza Area,
California 92679

HEARING:

Date: June 27, 2023

Time: 10:30 a.m.

Ctrm: Ctrm 5B, 411 W Fourth St., Santa
Ana, CA 92701.

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK SUCCESSOR
TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR THE BEAR STEARNS
ALT-A TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-04
 (“Creditor”), by and through its authorized loan servicer, Bank of America Mortgage (“BANA”)

secured creditor of the above captioned Debtor, Jeffrey S Beier ("Debtor") hereby submits the attached *Supplemental Exhibits in Support of its Opposition to Debtor's Motion for Imposing Stay* ("Opposition") filed by Creditor at Docket No. 22.

On May 2, 2023, Debtor filed a *Motion to Impose or Extend the Automatic Stay* ("Motion to Extend Stay"). (Dkt No. 9).

On May 11, 2023, Creditor filed an *Opposition to Debtor's Motion for Imposing Stay*. (Dkt No. 22).

On June 9, 2023, Creditor obtained an interior appraisal report ("Appraisal Report") for the property located at 10 Tucson, Coto De Caza, California 92679 ("Property"). The Appraisal Report lists a Property value of **\$2,770,000**. A copy of the Appraisal Report is attached hereto as **Exhibit A**.

As of July 7, 2023, the approximate payoff owed on the Subject Loan will total **\$2,806,259.91**. A copy of an estimated Payoff Quote for the Subject Loan is attached hereto as **Exhibit B**.

Based on the foregoing, Creditor asserts there is insufficient equity in the Property to support a sale as contemplated by the Debtor in the Motion to Extend the Stay. Likewise, there is insufficient equity for the Chapter 11 Trustee to liquidate the Property and pay unsecured creditors. Accordingly, Creditor asserts the court should deny the Motion to Extend the Stay as the Debtor and Bankruptcy Estate.

WHEREFORE: Creditor respectfully request:

1. That the Court deny the Motion to Extend the Stay; and
2. Such other relief as the Court deems just and proper.

Respectfully submitted,

ALDRIDGE PITE, LLP

Dated: June 22, 2023

/s/ Gregory P. Campbell

Gregory P. Campbell (CA SBN 281732)
Attorneys for Creditor

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
8880 Rio San Diego Drive, Suite 725 San Diego, CA 92108

A true and correct copy of the foregoing document entitled: **Supplemental Exhibits in Support of Opposition to Debtor's Motion for Order Imposing Stay [DKT No.22]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* June 23, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

U.S. TRUSTEE:

ustpreion16.sa.ecf@usdoj.gov
Michael J Hauser- michael.hauser@usdoj.gov

TRUSTEE:

Arturo Cisneros- arturo@mclaw.org

ATTORNEY FOR DEBTOR:

Anerio V Altman - LakeForestBankruptcy@jubileebk.net

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* June 23, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

PRESIDING JUDGE:

Honorable Theodor Albert
U.S. Bankruptcy Court Central District Of California
(Santa Ana)
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5085/ Courtroom 5B
Santa Ana, CA 92701-4593

DEBTOR:

Jeffrey Beier
PO Box 7644
Laguna Niguel, CA 92677

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

6/23/2023
Date

Lauren Timby
Printed name

/s/ Lauren Timby
Signature